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IRIS Y. MARTINEZ
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2021L004231

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

DAVID MUCZYNSKI; and,)
AMY BROUCEK,)

Plaintiffs,)

v.)

No.

Plaintiffs Demand a Trial by Jury

LYFT, INC.; LYFT ILLINOIS, INC.;)
HERTZ VEHICLES LLC;)
HERTZ VEHICLE FINANCING LLC;)
THE HERTZ CORPORATION;)
HERTZ CAR SALES; RASIER, LLC;)
UBER TECHNOLOGIES, INC.;)
ANDERSON MARTINEZ COLON a/k/a)
ANDERSON MARTINEZ a/k/a)
ANDERSON ANDY MARTINEZ; and)
SYED AKHTER a/k/a SYED AKHTAR)
a/k/a SYED NADEEM AKHTER SR.)
a/k/a SYED NADEEM AKHTAR SR.)
a/k/a SYED RAZA AKHTER a/k/a)
SYED RAZA AKHTAR,)

Defendants.)

COMPLAINT AT LAW

NOW COME the Plaintiffs, David Muczynski and Amy Broucek, by and through their attorneys, Levinson and Stefani, and complaining of the Defendants, Lyft, Inc.; Lyft Illinois, Inc.; Hertz Vehicles LLC; Hertz Vehicle Financing LLC; The Hertz Corporation; Hertz Car Sales; Raiser, LLC; Uber Technologies, Inc.; Anderson Martinez Colon a/k/a Anderson Martinez a/k/a Anderson Andy Martinez; and, Syed Akhter a/k/a Syed Akhtar a/k/a Syed Nadeem Akhter Sr. a/k/a Syed Nadeem Akhtar Sr. a/k/a Syed Raza Akhter a/k/a Syed Raza Akhtar, state as follows:

FACTS COMMON TO ALL COUNTS

1. Defendant Lyft, Inc., (hereinafter "Lyft"), is a Corporation registered in the State of Delaware and doing business in the County of Cook, State of Illinois.

2. Defendant Lyft Illinois, Inc., (hereinafter “Lyft Illinois”), is a Corporation registered in the State of Delaware and is doing business in the County of Cook, State of Illinois.
3. Defendant Hertz Vehicles LLC (hereinafter “Hertz Vehicles”), is a Limited Liability Corporation registered in the State of Delaware and is doing business in the County of Cook, State of Illinois.
4. Defendant Hertz Vehicle Financing LLC (hereinafter “Hertz Financing”), is a Limited Liability Corporation registered in the State of Delaware and is doing business in the County of Cook, State of Illinois.
5. Defendant The Hertz Corporation (hereinafter “Hertz Corp”), is a Corporation registered in the State of Delaware and is doing business in the County of Cook, State of Illinois.
6. Defendant Hertz Car Sales (hereinafter “Hertz Sales”), is a Corporation registered in the State of Delaware and is doing business in the County of Cook, State of Illinois.
7. Defendant Rasier LLC (hereinafter “Rasier”), is a Limited Liability Corporation registered in the State of Delaware and is doing business in the County of Cook, State of Illinois.
8. Defendant Uber Technologies, Inc. (hereinafter “Uber”), is a Corporation registered in the State of Delaware and is doing business in the County of Cook, State of Illinois.
9. Defendant Anderson Martinez Colon a/k/a Anderson Martinez a/k/a Anderson Andy Martinez (hereinafter “Martinez”), is a resident of the County of Cook, State of Illinois.
10. Defendant Syed Akhter a/k/a Syed Akhtar a/k/a Syed Nadeem Akhter Sr. a/k/a Syed Nadeem Akhtar Sr. a/k/a Syed Raza Akhter a/k/a Syed Raza Akhtar (hereinafter “Akhter”), is a resident of the County of Cook, State of Illinois.

11. On or about April 27, 2019, Defendant Martinez was driving a motor vehicle, travelling northbound on LaSalle Street, near the intersection of LaSalle Street and Lake Street, in the City of Chicago, County of Cook, State of Illinois.
12. At the aforementioned time and place, the Plaintiffs, David Muczynski and Amy Broucek, were passengers in Defendant Martinez's motor vehicle.
13. At the aforementioned time and place, Defendant Akhter was driving a motor vehicle, traveling southbound on LaSalle Street when he attempted to turn left onto Lake Street, in front of Defendant Martinez.
14. At the aforementioned time and place, Defendant Martinez' vehicle, in which Plaintiffs were passengers, violently struck Defendant Akhter's vehicle.
15. The Plaintiffs at all relevant times herein were in the exercise of all due care for their own safety.

COUNT I
MUCZYNSKI v. MARTINEZ

16. The Plaintiff David Muczynski (hereinafter "Muczynski") hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
17. At said time and place, it was the duty of Defendant Martinez to own, operate, maintain, and/or control his motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including Plaintiff Muczynski.
18. Notwithstanding the foregoing duty, Defendant Martinez did own, operate, maintain, and/or control his motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated his motor vehicle at a speed too great for conditions prevailing;
 - c) operated his motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff

and others in violation of 625 ILCS 5/1-601;

- d) failed to keep a proper lookout;
- e) operated his motor vehicle while distracted;
- f) operated his motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);
- g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was his passenger;
- h) struck Defendant Akhter's vehicle while the Plaintiff was his passenger; and
- i) was otherwise careless or negligent.

19. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Martinez did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant Anderson Martinez Colon a/k/a Anderson Martinez a/k/a Anderson Andy Martinez in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT II
BROUCEK v. MARTINEZ

20. The Plaintiff Amy Broucek (hereinafter "Broucek") hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
21. At said time and place, it was the duty of Defendant Martinez to own, operate, maintain, and/or control his motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Broucek.
22. Notwithstanding the foregoing duty, the Defendant Martinez did own, operate, maintain, and/or control his motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated his motor vehicle at a speed too great for conditions prevailing;
 - c) operated his motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated his motor vehicle while distracted;
 - f) operated his motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);
 - g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was his passenger;
 - h) struck Defendant Akhter's vehicle while the Plaintiff was his passenger; and
 - i) was otherwise careless or negligent.
23. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Martinez did violently collide with Defendant Akhter's vehicle while the

Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant Anderson Martinez Colon a/k/a Anderson Martinez a/k/a Anderson Andy Martinez in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT III
MUCZYNSKI v. AKHTER

- 24. The Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
- 25. At said time and place, it was the duty of Defendant Akhter to own, operate, maintain, and/or control his motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including Plaintiff Muczynski.
- 26. Notwithstanding the foregoing duty, Defendant Akhter did own, operate, maintain, and/or control his motor vehicle in a dangerous and negligent manner in one or more of the following ways:
 - a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated his motor vehicle at a speed too great for conditions prevailing;
 - c) operated his motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the person and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;

- e) operated his motor vehicle while distracted;
- f) failed to yield the right-of-way to a vehicle approaching from the opposite direction which was so close as to constitute an immediate hazard in violation of 625 ILCS 5/11-902; and,
- g) was otherwise careless or negligent.

27. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Akhter's vehicle and Defendant Martinez's vehicle collided while the Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant Syed Akhter a/k/a Syed Akhtar a/k/a Syed Nadeem Akhter Sr. a/k/a Syed Nadeem Akhtar Sr. a/k/a Syed Raza Akhter a/k/a Syed Raza Akhtar in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT IV
BROUCEK v. AKHTER

- 28. The Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
- 29. At said time and place, it was the duty of the Defendant Akhter to own, operate, maintain, and/or control his motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Broucek.
- 30. Notwithstanding the foregoing duty, the Defendant Akhter did own, operate, maintain, and/or control his motor vehicle in a dangerous and negligent manner in one or more of the following ways:

FILED DATE: 4/23/2021 11:59 AM 2021L004231

- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated his motor vehicle at a speed too great for conditions prevailing;
 - c) operated his motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the person and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated his motor vehicle while distracted;
 - h) failed to yield the right-of-way to a vehicle approaching from the opposite direction which was so close as to constitute an immediate hazard in violation of 625 ILCS 5/11-902; and,
 - f) was otherwise careless or negligent.
31. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Akhter's vehicle and Defendant Martinez's vehicle collided while the Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;
 - d) medical expenses;
 - e) loss of earnings and injury to earning capacity; and
 - f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant Syed Akhter a/k/a Syed Akhtar a/k/a Syed Nadeem Akhter Sr. a/k/a Syed Nadeem Akhtar Sr. a/k/a Syed Raza Akhter a/k/a Syed Raza Akhtar in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT V
MUCZYNSKI v. LYFT – respondeat superior

32. The Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
33. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Lyft and was acting within the scope of his employment and/or agency with Defendant Lyft.
34. At said time and place, Defendant, Lyft, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Muczynski.
35. Notwithstanding the foregoing duty, Defendant Lyft, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated a motor vehicle while distracted;
 - f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);

- g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
- j) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
- h) was otherwise careless or negligent.

36. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Lyft, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Lyft, Inc., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT VI
MUCZYNSKI v. LYFT – negligent retention

37. Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
38. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Lyft and was acting within the scope of his employment and/or agency with Defendant Lyft and with Defendant Lyft's permission.

- FILED DATE: 4/23/2021 11:59 AM 2021L004231
39. At all times relevant, Defendant Lyft knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Lyft knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Lyft.
40. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;
 - d) medical expenses;
 - e) loss of earnings and injury to earning capacity; and,
 - f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Lyft, Inc., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT VII
BROUCEK v. LYFT– respondeat superior

41. The Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
42. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Lyft and was acting within the scope of his employment and/or agency with Defendant Lyft.
43. At said time and place, Defendant, Lyft, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Muczynski.
44. Notwithstanding the foregoing duty, Defendant Lyft, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated a motor vehicle while distracted;
 - f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);

- g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
- k) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
- h) was otherwise careless or negligent.

45. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Lyft, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Lyft, Inc., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT VIII
BROUCEK v. LYFT – negligent retention

46. Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
47. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Lyft and was acting within the scope of his employment and/or agency with Defendant Lyft and with Defendant Lyft's permission.

48. At all times relevant, Defendant Lyft knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Lyft knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Lyft.
49. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;
 - d) medical expenses;
 - e) loss of earnings and injury to earning capacity; and,
 - f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Lyft, Inc., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT IX
MUCZYNSKI v. LYFT ILLINOIS -respondeat superior

50. The Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
51. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Lyft Illinois and was acting within the scope of his employment and/or agency with Defendant Lyft Illinois.
52. At said time and place, Defendant, Lyft Illinois, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Muczynski.
53. Notwithstanding the foregoing duty, Defendant Lyft Illinois, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated a motor vehicle while distracted;
 - f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);

- g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
- l) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
- h) was otherwise careless or negligent.

54. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Lyft Illinois, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Lyft Illinois, Inc., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT X
MUCZYNSKI v. LYFT ILLINOIS – negligent retention

- 55. Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
- 56. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Lyft Illinois and was acting within the scope of his employment and/or agency with Defendant Lyft Illinois and with Defendant Lyft Illinois' permission.

57. At all times relevant, Defendant Lyft Illinois knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Lyft Illinois knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Lyft Illinois.
58. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;
 - d) medical expenses;
 - e) loss of earnings and injury to earning capacity; and,
 - f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Lyft Illinois, Inc., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XI
BROUCEK v. LYFT ILLINOIS – respondeat superior

59. The Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
60. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Lyft Illinois and was acting within the scope of his employment and/or agency with Defendant Lyft Illinois.
61. At said time and place, Defendant, Lyft Illinois, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Broucek.
62. Notwithstanding the foregoing duty, Defendant Lyft Illinois, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated a motor vehicle while distracted;
 - f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);

- g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
- m) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
- h) was otherwise careless or negligent.

63. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Lyft Illinois, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Lyft Illinois, Inc., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XII
BROUCEK v. LYFT ILLINOIS – negligent retention

64. Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
65. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Lyft Illinois and was acting within the scope of his employment and/or agency with Defendant Lyft Illinois and with Defendant Lyft Illinois' permission.

- FILED DATE: 4/23/2021 11:59 AM 2021L004231
66. At all times relevant, Defendant Lyft Illinois knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Lyft Illinois knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Lyft Illinois.
67. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;
 - d) medical expenses;
 - e) loss of earnings and injury to earning capacity; and,
 - f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Lyft Illinois, Inc., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XIII
MUCZYNSKI v. HERTZ VEHICLES – respondeat superior

68. The Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
69. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Vehicles and was acting within the scope of his employment and/or agency with Defendant Hertz Vehicles.
70. At said time and place, Defendant, Hertz Vehicles, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Muczynski.
71. Notwithstanding the foregoing duty, Defendant Hertz Vehicles, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated a motor vehicle while distracted;
 - f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);

- g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
- n) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
- h) was otherwise careless or negligent.

72. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Hertz Vehicles, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Hertz Vehicles LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XIV
MUCZYNSKI v. HERTZ VEHICLES – negligent retention

- 73. Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
- 74. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Vehicles and was acting within the scope of his employment and/or agency with Defendant Hertz Vehicles and with Defendant Hertz Vehicles' permission.

75. At all times relevant, Defendant Hertz Vehicles knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Hertz Vehicles knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Hertz Vehicles.
76. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;
 - d) medical expenses;
 - e) loss of earnings and injury to earning capacity; and,
 - f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Hertz Vehicles LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XV
MUCZYNSKI v. HERTZ VEHICLES – negligent entrustment

77. Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
78. At all times relevant, Defendant Hertz Vehicles owned the vehicle being operated by Defendant Martinez.
79. At all times relevant, Defendant Hertz Vehicles entrusted its vehicle to Defendant Martinez and gave him express or implied permission to operate its vehicle to transport passengers.
80. At all times relevant, Defendant Hertz Vehicles knew or should have known that Defendant Martinez intended or was likely to operate its vehicle in such a manner as to create an unreasonable risk of harm to others including the Plaintiff, specifically because Defendant Hertz Vehicles knew or should have known that Defendant Martinez was operating or was likely to operate its motor vehicle to transport passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a).
81. As direct and proximate result of Defendant Hertz Vehicles' said entrustment of its vehicle to Defendant Martinez, Plaintiff Muczynski did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;

- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Hertz Vehicles LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XVI
BROUCEK v. HERTZ VEHICLES – respondeat superior

- 82. The Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
- 83. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Vehicles and was acting within the scope of his employment and/or agency with Defendant Hertz Vehicles.
- 84. At said time and place, Defendant, Hertz Vehicles, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Broucek.
- 85. Notwithstanding the foregoing duty, Defendant Hertz Vehicles, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
 - a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;

- d) failed to keep a proper lookout;
- e) operated a motor vehicle while distracted;
- f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);
- g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
- o) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
- h) was otherwise careless or negligent.

86. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Hertz Vehicles, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Hertz Vehicles LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XVII
BROUCEK v. HERTZ VEHICLES – negligent retention

87. Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
88. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Vehicles Illinois and was acting within the scope of his employment and/or agency with Defendant Hertz Vehicles and with Defendant Hertz Vehicles' permission.
89. At all times relevant, Defendant Hertz Vehicles knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Hertz Vehicles knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Hertz Vehicles.
90. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;

- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Hertz Vehicles LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XVIII
BROUCEK v. HERTZ VEHICLES– negligent entrustment

- 91. Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
- 92. At all times relevant, Defendant Hertz Vehicles owned the vehicle being operated by Defendant Martinez.
- 93. At all times relevant, Defendant Hertz Vehicles entrusted its vehicle to Defendant Martinez and gave him express or implied permission to operate its vehicle to transport passengers.
- 94. At all times relevant, Defendant Hertz Vehicles knew or should have known that Defendant Martinez intended or was likely to operate its vehicle in such a manner as to create an unreasonable risk of harm to others including the Plaintiff, specifically because Defendant Hertz Vehicles knew or should have known that Defendant Martinez was operating or was likely to operate its motor vehicle to transport passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a).
- 95. As direct and proximate result of Defendant Hertz Vehicles' said entrustment of its

vehicle to Defendant Martinez, Plaintiff Broucek did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Hertz Vehicles LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XIX
MUCZYNSKI v. HERTZ FINANCING – respondeat superior

- 96. The Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
- 97. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Financing and was acting within the scope of his employment and/or agency with Defendant Hertz Financing.
- 98. At said time and place, Defendant, Hertz Financing, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Muczynski.
- 99. Notwithstanding the foregoing duty, Defendant Hertz Financing, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:

- a) failed to slow or stop when danger to the Plaintiff was imminent;
- b) operated a motor vehicle at a speed too great for conditions prevailing;
- c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
- d) failed to keep a proper lookout;
- e) operated a motor vehicle while distracted;
- f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);
- g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
- p) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
- h) was otherwise careless or negligent.

100. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Hertz Financing, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Hertz Vehicle Financing LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XX
MUCZYNSKI v. HERTZ FINANCING – negligent retention

101. Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
102. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Financing and was acting within the scope of his employment and/or agency with Defendant Hertz Financing and with Defendant Hertz Financing's permission.
103. At all times relevant, Defendant Hertz Financing knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Hertz Financing knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Hertz Financing.
104. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Hertz Vehicle Financing LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXI
MUCZYNSKI v. HERTZ FINANCING – negligent entrustment

- 105. Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
- 106. At all times relevant, Defendant Hertz Financing owned the vehicle being operated by Defendant Martinez.
- 107. At all times relevant, Defendant Hertz Financing entrusted its vehicle to Defendant Martinez and gave him express or implied permission to operate its vehicle to transport passengers.
- 108. At all times relevant, Defendant Hertz Financing knew or should have known that Defendant Martinez intended or was likely to operate its vehicle in such a manner as to create an unreasonable risk of harm to others including the Plaintiff, specifically because Defendant Hertz Financing knew or should have known that Defendant Martinez was operating or was likely to operate its motor vehicle to transport passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located

in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a).

109. As direct and proximate result of Defendant Hertz Financing's said entrustment of its vehicle to Defendant Martinez, Plaintiff Muczynski did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Hertz Vehicle Financing LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXII

BROUCEK v. HERTZ FINANCING – respondeat superior

110. The Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.

111. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Financing and was acting within the scope of his employment and/or agency with Defendant Hertz Financing.

112. At said time and place, Defendant, Hertz Financing, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Broucek.

113. Notwithstanding the foregoing duty, Defendant Hertz Financing, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated a motor vehicle while distracted;
 - f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);
 - g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
 - q) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
 - h) was otherwise careless or negligent.
114. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Hertz Financing, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;

- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Hertz Vehicle Financing LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXIII
BROUCEK v. HERTZ FINANCING – negligent retention

115. Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
116. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Financing and was acting within the scope of his employment and/or agency with Defendant Hertz Financing and with Defendant Hertz Financing's permission.
117. At all times relevant, Defendant Hertz Financing knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Hertz Financing knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Hertz Financing.
118. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide

with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Hertz Vehicle Financing LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXIV

BROUCEK v. HERTZ FINANCING – negligent entrustment

- 119. Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
- 120. At all times relevant, Defendant Hertz Financing owned the vehicle being operated by Defendant Martinez.
- 121. At all times relevant, Defendant Hertz Financing entrusted its vehicle to Defendant Martinez and gave him express or implied permission to operate its vehicle to transport passengers.
- 122. At all times relevant, Defendant Hertz Financing knew or should have known that Defendant Martinez intended or was likely to operate its vehicle in such a manner as to create an unreasonable risk of harm to others including the Plaintiff, specifically because Defendant Hertz Financing knew or should have known that Defendant

Martinez was operating or was likely to operate its motor vehicle to transport passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a).

123. As direct and proximate result of Defendant Hertz Financing's said entrustment of its vehicle to Defendant Martinez, Plaintiff Broucek did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Hertz Vehicle Financing LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXV

MUCZYNSKI v. HERTZ CORP – respondeat superior

124. The Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.

125. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Corp and was acting within the scope of his employment and/or agency with Defendant Hertz Corp.

126. At said time and place, Defendant, Hertz Corp, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Muczynski.
127. Notwithstanding the foregoing duty, Defendant Hertz Corp, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated a motor vehicle while distracted;
 - f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);
 - g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
 - r) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
 - h) was otherwise careless or negligent.
128. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Hertz Corp, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, The Hertz Corporation, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXVI
MUCZYNSKI v. HERTZ CORP – negligent retention

129. Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
130. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Corp and was acting within the scope of his employment and/or agency with Defendant Hertz Corp and with Defendant Hertz Corp's permission.
131. At all times relevant, Defendant Hertz Corp knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Hertz Corp knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Hertz Corp.

132. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, The Hertz Corporation, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXVII
MUCZYNSKI v. HERTZ CORP – negligent entrustment

133. Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.

134. At all times relevant, Defendant Hertz Corp owned the vehicle being operated by Defendant Martinez.

135. At all times relevant, Defendant Hertz Corp entrusted its vehicle to Defendant Martinez and gave him express or implied permission to operate its vehicle to transport passengers.

136. At all times relevant, Defendant Hertz Corp knew or should have known that Defendant Martinez intended or was likely to operate its vehicle in such a manner as

to create an unreasonable risk of harm to others including the Plaintiff, specifically because Defendant Hertz Corp knew or should have known that Defendant Martinez was operating or was likely to operate its motor vehicle to transport passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a).

137. As direct and proximate result of Defendant Hertz Corp's said entrustment of its vehicle to Defendant Martinez, Plaintiff Muczynski did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, The Hertz Corporation, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXVIII
BROUCEK v. HERTZ CORP – respondeat superior

138. The Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.

139. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Corp and was acting within the scope of his employment and/or agency with Defendant Hertz Corp.
140. At said time and place, Defendant, Hertz Corp, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Broucek.
141. Notwithstanding the foregoing duty, Defendant Hertz Corp, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated a motor vehicle while distracted;
 - f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);
 - g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
 - s) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
 - h) was otherwise careless or negligent.

142. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Hertz Corp, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;
 - d) medical expenses;
 - e) loss of earnings and injury to earning capacity; and,
 - f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, The Hertz Corporation, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXIX
BROUCEK v. HERTZ CORP – negligent retention

143. Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
144. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Corp and was acting within the scope of his employment and/or agency with Defendant Hertz Corp and with Defendant Hertz Corp's permission.
145. At all times relevant, Defendant Hertz Corp knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Hertz Corp knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the

motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Hertz Corp.

146. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, The Hertz Corporation, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXX
BROUCEK v. HERTZ CORP – negligent entrustment

147. Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
148. At all times relevant, Defendant Hertz Corp owned the vehicle being operated by Defendant Martinez.
149. At all times relevant, Defendant Hertz Corp entrusted its vehicle to Defendant Martinez and gave him express or implied permission to operate its vehicle to transport passengers.

- FILED DATE: 4/23/2021 11:59 AM 2021L004231
150. At all times relevant, Defendant Hertz Corp knew or should have known that Defendant Martinez intended or was likely to operate its vehicle in such a manner as to create an unreasonable risk of harm to others including the Plaintiff, specifically because Defendant Hertz Corp knew or should have known that Defendant Martinez was operating or was likely to operate its motor vehicle to transport passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a).
151. As direct and proximate result of Defendant Hertz Corp's said entrustment of its vehicle to Defendant Martinez, Plaintiff Broucek did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;
 - d) medical expenses;
 - e) loss of earnings and injury to earning capacity; and,
 - f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, The Hertz Corporation, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXXI
MUCZYNSKI v. HERTZ SALES – respondeat superior

152. The Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
153. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Sales and was acting within the scope of his employment and/or agency with Defendant Hertz Sales.
154. At said time and place, Defendant, Hertz Sales, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Muczynski.
155. Notwithstanding the foregoing duty, Defendant Hertz Sales, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated a motor vehicle while distracted;
 - f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);
 - g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;

- t) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
- h) was otherwise careless or negligent.

156. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Hertz Sales, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Hertz Car Sales, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXXII
MUCZYNSKI v. HERTZ SALES – negligent retention

157. Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
158. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Sales and was acting within the scope of his employment and/or agency with Defendant Hertz Sales and with Defendant Hertz Sales' permission.
159. At all times relevant, Defendant Hertz Sales knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Hertz Sales knew or should have known

that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Hertz Sales.

160. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Hertz Car Sales, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXXIII
MUCZYNSKI v. HERTZ SALES – negligent entrustment

161. Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.

- FILED DATE: 4/23/2021 11:59 AM 2021L004231
162. At all times relevant, Defendant Hertz Sales owned the vehicle being operated by Defendant Martinez.
163. At all times relevant, Defendant Hertz Sales entrusted its vehicle to Defendant Martinez and gave him express or implied permission to operate its vehicle to transport passengers.
164. At all times relevant, Defendant Hertz Sales knew or should have known that Defendant Martinez intended or was likely to operate its vehicle in such a manner as to create an unreasonable risk of harm to others including the Plaintiff, specifically because Defendant Hertz Sales knew or should have known that Defendant Martinez was operating or was likely to operate its motor vehicle to transport passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a).
165. As direct and proximate result of Defendant Hertz Sales' said entrustment of its vehicle to Defendant Martinez, Plaintiff Muczynski did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;
 - d) medical expenses;
 - e) loss of earnings and injury to earning capacity; and,
 - f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Hertz Car Sales, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXXIV
BROUCEK v. HERTZ SALES – respondeat superior

166. The Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
167. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Sales and was acting within the scope of his employment and/or agency with Defendant Hertz Sales.
168. At said time and place, Defendant, Hertz Sales, by and through its agent and/or employee Martinez, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Broucek.
169. Notwithstanding the foregoing duty, Defendant Hertz Sales, by and through its agent and/or employee Defendant Martinez, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated a motor vehicle at a speed too great for conditions prevailing;
 - c) operated a motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the Plaintiff and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated a motor vehicle while distracted;
 - f) operated a motor vehicle while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point

forward of the back of the driver's seat, or was operating and visible to the driver while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a);

- g) failed to react in an appropriate manner to avoid striking Defendant Akhter's vehicle while Plaintiff was Defendant Martinez's passenger;
- u) struck Defendant Akhter's vehicle while the Plaintiff was Defendant Martinez's passenger; and,
- h) was otherwise careless or negligent.

170. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Hertz Sales, by and through its agent and/or employee Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Hertz Car Sales, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXXV
BROUCEK v. HERTZ SALES – negligent retention

171. Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.

172. At said time and place, Defendant Martinez was an employee and/or agent of Defendant Hertz Sales and was acting within the scope of his employment and/or agency with Defendant Hertz Sales and with Defendant Hertz Sales' permission.

- FILED DATE: 4/23/2021 11:59 AM 2021L004231
173. At all times relevant, Defendant Hertz Sales knew or should have known that Defendant Martinez was unfit to operate a motor vehicle while transporting passengers specifically because Defendant Hertz Sales knew or should have known that Defendant Martinez was operating a motor vehicle and transporting passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a), and while Defendant Martinez was acting within the scope of his employment and/or agency with Defendant Hertz Sales.
174. As direct and proximate result of Defendant Martinez's said unfitness to operate a motor vehicle while transporting passengers, Defendant Martinez, did violently collide with Defendant Akhter's vehicle while Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;
 - d) medical expenses;
 - e) loss of earnings and injury to earning capacity; and,
 - f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Hertz Car Sales, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXXVI
BROUCEK v. HERTZ SALES – negligent entrustment

175. Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
176. At all times relevant, Defendant Hertz Sales owned the vehicle being operated by Defendant Martinez.
177. At all times relevant, Defendant Hertz Sales entrusted its vehicle to Defendant Martinez and gave him express or implied permission to operate its vehicle to transport passengers.
178. At all times relevant, Defendant Hertz Sales knew or should have known that Defendant Martinez intended or was likely to operate its vehicle in such a manner as to create an unreasonable risk of harm to others including the Plaintiff, specifically because Defendant Hertz Sales knew or should have known that Defendant Martinez was operating or was likely to operate its motor vehicle to transport passengers while a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications was operating and was located in the motor vehicle at any point forward of the back of the driver's seat, or was operating and visible to Defendant Martinez while driving the motor vehicle in violation of 625 ILCS 5/12-604.1(a).
179. As direct and proximate result of Defendant Hertz Sales' said entrustment of its vehicle to Defendant Martinez, Plaintiff Broucek did suffer the following past, present, and future loss and damage:
- a) bodily injury;
 - b) pain and suffering;
 - c) mental suffering;

- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Hertz Car Sales, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXXVII
MUCZYNSKI v. RASIER – respondeat superior

180. The Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
181. At said time and place, Defendant Akhter was an employee and/or agent of Defendant Raiser and was acting within the scope of his employment and/or agency with Defendant Raiser.
182. At said time and place, Defendant, Raiser, by and through its agent and/or employee Akhter, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Muczynski.
183. Notwithstanding the foregoing duty, Defendant Raiser, by and through its agent and/or employee Defendant Akhter, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated his motor vehicle at a speed too great for conditions prevailing;
 - c) operated his motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the person and others in violation of 625 ILCS 5/1-601;

- d) failed to keep a proper lookout;
- e) operated his motor vehicle while distracted;
- f) failed to yield the right-of-way to a vehicle approaching from the opposite direction which was so close as to constitute an immediate hazard in violation of 625 ILCS 5/11-902; and,
- g) was otherwise careless or negligent.

184. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Raiser, by and through its agent and/or employee Defendant Akhter, Defendant Akhter's vehicle and Defendant Martinez's vehicle collided while the Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Rasier LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXXVIII
BROUCEK v. RASIER – respondeat superior

185. The Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.

- FILED DATE: 4/23/2021 11:59 AM 2021L004231
186. At said time and place, Defendant Akhter was an employee and/or agent of Defendant Raiser and was acting within the scope of his employment and/or agency with Defendant Raiser.
187. At said time and place, Defendant, Raiser, by and through its agent and/or employee Akhter, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Broucek.
188. Notwithstanding the foregoing duty, Defendant Raiser, by and through its agent and/or employee Defendant Akhter, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated his motor vehicle at a speed too great for conditions prevailing;
 - c) operated his motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the person and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated his motor vehicle while distracted;
 - f) failed to yield the right-of-way to a vehicle approaching from the opposite direction which was so close as to constitute an immediate hazard in violation of 625 ILCS 5/11-902; and,
 - g) was otherwise careless or negligent.
189. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Raiser, by and through its agent and/or employee Defendant Akhter, Defendant Akhter's vehicle and Defendant Martinez's vehicle collided while the Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:
- a) bodily injury;

- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Rasier LLC, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XXXIV
MUCZYNSKI v. UBER – respondeat superior

190. The Plaintiff Muczynski hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.
191. At said time and place, Defendant Akhter was an employee and/or agent of Defendant Uber and was acting within the scope of his employment and/or agency with Defendant Uber.
192. At said time and place, Defendant, Uber, by and through its agent and/or employee Akhter, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Muczynski.
193. Notwithstanding the foregoing duty, Defendant Uber, by and through its agent and/or employee Defendant Akhter, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated his motor vehicle at a speed too great for conditions prevailing;
 - c) operated his motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the person and others in violation of 625 ILCS 5/1-601;

- d) failed to keep a proper lookout;
- e) operated his motor vehicle while distracted;
- f) failed to yield the right-of-way to a vehicle approaching from the opposite direction which was so close as to constitute an immediate hazard in violation of 625 ILCS 5/11-902; and,
- g) was otherwise careless or negligent.

194. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Uber, by and through its agent and/or employee Defendant Akhter, Defendant Akhter's vehicle and Defendant Martinez's vehicle collided while the Plaintiff Muczynski was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, David Muczynski, prays for judgment against the Defendant, Uber Technologies, Inc., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

COUNT XL
BROUCEK v. UBER – respondeat superior

195. The Plaintiff Broucek hereby adopts and re-alleges paragraphs 1-15 as though fully set forth herein.

196. At said time and place, Defendant Akhter was an employee and/or agent of Defendant Uber and was acting within the scope of his employment and/or agency with Defendant Uber.
197. At said time and place, Defendant, Uber, by and through its agent and/or employee Akhter, had a duty to own, operate, maintain, and/or control its motor vehicle in a manner so as not to negligently cause injury to persons lawfully on the public way, including the Plaintiff Broucek.
198. Notwithstanding the foregoing duty, Defendant Uber, by and through its agent and/or employee Defendant Akhter, did own, operate, maintain, and/or control its motor vehicle in a dangerous and negligent manner in one or more of the following ways:
- a) failed to slow or stop when danger to the Plaintiff was imminent;
 - b) operated his motor vehicle at a speed too great for conditions prevailing;
 - c) operated his motor vehicle at a speed greater than what was reasonable and proper for the conditions then and there existing so as to endanger the person and others in violation of 625 ILCS 5/1-601;
 - d) failed to keep a proper lookout;
 - e) operated his motor vehicle while distracted;
 - f) failed to yield the right-of-way to a vehicle approaching from the opposite direction which was so close as to constitute an immediate hazard in violation of 625 ILCS 5/11-902; and,
 - g) was otherwise careless or negligent.
199. As direct and proximate result of one or more of the foregoing acts of negligence, Defendant Uber, by and through its agent and/or employee Defendant Akhter, Defendant Akhter's vehicle and Defendant Martinez's vehicle collided while the Plaintiff Broucek was a passenger of Defendant Martinez' vehicle and as a result thereof, the Plaintiff did suffer the following past, present, and future loss and damage:

- a) bodily injury;
- b) pain and suffering;
- c) mental suffering;
- d) medical expenses;
- e) loss of earnings and injury to earning capacity; and,
- f) disability or loss of normal life.

WHEREFORE, the Plaintiff, Amy Broucek, prays for judgment against the Defendant, Uber Technologies, Inc., in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs.

Respectfully submitted,



By: _____
Danylo Terleckyj

Levinson and Stefani
Attorneys for Plaintiff
230 W. Monroe St. Suite 2210
Chicago, Illinois 60606
(312) 376-3812
dan@levinsonstefani.com
Attorney No. 58168

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

DAVID MUCZYNSKI; and,)
AMY BROUCEK,)
)
Plaintiffs,)
)
v.) No.
)
LYFT, INC.; LYFT ILLINOIS, INC.; et al.,)
)
Defendants.)

AFFIDAVIT RE: DAMAGES SOUGHT

NOW COME the Plaintiffs, David Muczynski and Amy Broucek, by and through their attorneys, Levinson and Stefani, and pursuant to Supreme Court Rule 222, set forth the following:

THE DAMAGES SOUGHT IN THE ABOVE TITLED CAUSE OF ACTION EXCEED \$50,000.00.

Respectfully submitted,



By: _____
Danylo Terleckyj

Under penalties, as provided by law pursuant to 735 ILCS 5/1 109, the undersigned certified that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



Levinson and Stefani
Attorneys for Plaintiff
230 W. Monroe St. Suite 2210
Chicago, Illinois 60606
P: (312) 376-3812
F: (312) 376-3818
E: dan@levinsonstefani.com
Attorney No.: 58168

Danylo Terleckyj



**Service of Process
Transmittal**

04/30/2021

CT Log Number [REDACTED]

TO:

[REDACTED]
Lyft, Inc.
185 BERRY ST STE 5000
SAN FRANCISCO, CA 94107-2503

RE: Process Served in Illinois

FOR: Lyft, Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: David Muczynski and Amy Broucek, Pltfs. vs. Lyft, Inc., et al., Dfts.
DOCUMENT(S) SERVED: Summonses, Attachment(s), Complaint, Affidavit(s)
COURT/AGENCY: Cook County Circuit Court - County Department - Law Division, IL
Case # 21L4231
NATURE OF ACTION: Personal Injury - Vehicle Collision - April 27, 2019
ON WHOM PROCESS WAS SERVED: C T Corporation System, Chicago, IL
DATE AND HOUR OF SERVICE: By Process Server on 04/30/2021 at 03:05
JURISDICTION SERVED : Illinois
APPEARANCE OR ANSWER DUE: Within 30 days after service of this Summons, not counting the day of service
ATTORNEY(S) / SENDER(S): Danylo Terleckyj
Levinson and Stefani
230 W. Monroe St. Suite 2210
Chicago, IL 60606
312-376-3812

ACTION ITEMS:

[REDACTED]
[REDACTED]
Email Notification, [REDACTED]

Email Notification, [REDACTED]

Email Notification, [REDACTED]

Email Notification, [REDACTED]

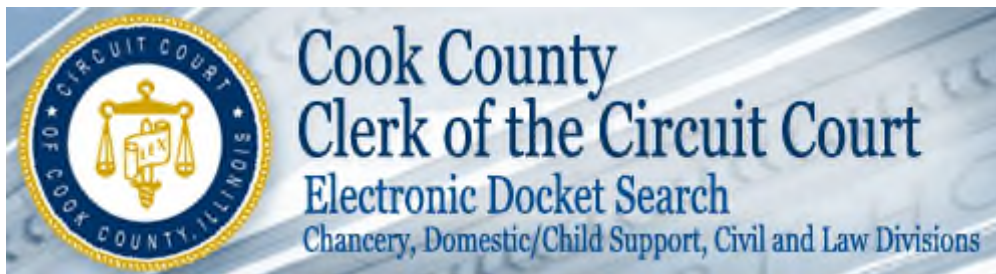
Email Notification, [REDACTED]

Email Notification, [REDACTED]

Email Notification, [REDACTED]

REGISTERED AGENT ADDRESS:

C T Corporation System



Case Information Summary for Case Number
2021-L-004231

Filing Date: 04/23/2021
Division: Law Division
Ad Damnum: \$50000.00

Case Type: PERSONAL
INJURY(MOTOR VEHICLE)
District: First Municipal
Calendar: H

Party Information

Plaintiff(s)

MUCZYNSKI DAVID

Attorney(s)

LEVINSON & STEFANI
230 W MADISON#2210
CHICAGO IL, 60606
(312) 376-3812

BROUCEK AMY

Defendant(s)

AKHTER SYED
COLON ANDERSON
HERTZ CAR SALES
HERTZ VEHICLE
FINANCING L
HERTZ VEHICLES LLC
LYFT ILLINOIS, INC.
LYFT, INC.
RASIER, LLC
THE HERTZ
CORPORATION
UBER TECHNOLOGIES,
INC.

Defendant Date of Service Attorney(s)

Case Activity

Activity Date: 04/23/2021

Participant: MUCZYNSKI DAVID

PERSONAL INJURY (MOTOR VEHICLE) COMPLAINT FILED (JURY DEMAND)

Court Fee: 600.50

Ad Damnum Amount: 50000.00

Attorney: LEVINSON & STEFANI

Exhibit C

Activity Date: 04/26/2021

Participant: MUCZYNSKI DAVID

MOTION FOR APPOINTMENT OF SPECIAL PROCESS SERVER FILED

Attorney: LEVINSON & STEFANI

Activity Date: 04/27/2021

Participant: MUCZYNSKI

APPOINT SPECIAL DEPUTY - ALLOWED -

Judge: EHRLICH, JOHN H.

Activity Date: 04/27/2021

Participant: MUCZYNSKI

ISSUE WRIT - ALLOWED -

Judge: EHRLICH, JOHN H.

Activity Date: 04/28/2021

Participant: MUCZYNSKI DAVID

SUMMONS ISSUED AND RETURNABLE

Attorney: LEVINSON & STEFANI

Activity Date: 04/28/2021

Participant: MUCZYNSKI DAVID

SUMMONS ISSUED AND RETURNABLE

Attorney: LEVINSON & STEFANI

Activity Date: 04/28/2021

Participant: MUCZYNSKI DAVID

SUMMONS ISSUED AND RETURNABLE

Attorney: LEVINSON & STEFANI

Activity Date: 04/28/2021

Participant: MUCZYNSKI DAVID

SUMMONS ISSUED AND RETURNABLE

Attorney: LEVINSON & STEFANI

Activity Date: 04/28/2021

Participant: MUCZYNSKI DAVID

SUMMONS ISSUED AND RETURNABLE

Attorney: LEVINSON & STEFANI

Activity Date: 04/28/2021

Participant: MUCZYNSKI DAVID

SUMMONS ISSUED AND RETURNABLE

Attorney: LEVINSON & STEFANI

Activity Date: 04/28/2021

Participant: MUCZYNSKI DAVID

SUMMONS ISSUED AND RETURNABLE

Attorney: LEVINSON & STEFANI

Activity Date: 04/28/2021

Participant: MUCZYNSKI DAVID

SUMMONS ISSUED AND RETURNABLE

Attorney: LEVINSON & STEFANI

Activity Date: 04/28/2021

Participant: MUCZYNSKI DAVID

SUMMONS ISSUED AND RETURNABLE

Attorney: LEVINSON & STEFANI

Activity Date: 04/28/2021

Participant: MUCZYNSKI DAVID

SUMMONS ISSUED AND RETURNABLE

Attorney: LEVINSON & STEFANI

[Back to Top](#)

Please note: Neither the Circuit Court of Cook County nor the Clerk of the Circuit Court of Cook County warrants the accuracy, completeness, or the currency of this data. This data is not an official record of the Court or the Clerk and may not be represented as an official court record.

If data does not appear in a specific field, we likely do not have the responsive data in our master database.



For Customer Support refer to the appropriate platform below:

OrderPoint

800-934-9698
Orderpoint.support@lexisnexis.com

Accurant for Insurance

866-277-8407
Accurant.support@lexisnexis.com

Lexis.com

Law Firm accounts
800-543-6862

PAGE COUNT: 3

CLIENT : AFI1698937
DIVISION : XRFACC1698937
ADJUSTER : ADJACKS2
CLAIM : FJX7887

TRANSACTION # : 785514272
DATE : 05/09/2019

DATE OF LOSS : 04/27/2019
STREET : NORTH LASALLE ST
CITY : CHICAGO
COUNTY : COOK
STATE : IL

INVESTIGATING AGENCY : CHICAGO PD
REPORT NUMBER : JC240873
REPORT TYPE : Auto Accident
PARTY 1 : ANDERSON MARTINEZ
PARTY 2 :
PARTY 3 :

CAR : MAKE : YEAR :
TAG :


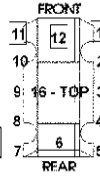
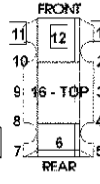
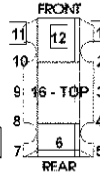
DRIVER LICENSE :
ADDITIONAL INFO :

POLICY #:
POLICY STATE:
LOSS KIND:

NOTE :

Exhibit D

THANK YOU FOR YOUR ORDER!

DRAC 01	U2	TRFD 3	TRFC 4	WEAT 3	DRVA 99 01	99 02	VIS 1 01	1 02	VEHD 99 01	1 02	LGHT 1	COLL 10	MANV 1 01	3 02																																																									
INVESTIGATING AGENCY CHICAGO PD					DAMAGE TO ANY ONE PERSON'S VEHICLE / PROPERTY <input type="checkbox"/> \$500 OR LESS <input type="checkbox"/> \$501 - \$1,500 <input checked="" type="checkbox"/> OVER \$1,500					TYPE OF REPORT <input checked="" type="checkbox"/> ON SCENE <input type="checkbox"/> NOT ON SCENE (DESK REPORT) <input type="checkbox"/> AMENDED					A No Injury / Drive Away B Injury and / or Tow Due To Crash					R.D. Number 2019 JC240873 YR					BEAT OF OCCURRENCE 0122					TRFW 3																																									
ADDRESS NO. 203					HIGHWAY or STREET NAME LA SALLE ST										<input checked="" type="checkbox"/> CITY CHICAGO					TOWNSHIP <input type="checkbox"/>					INTERSECTION RELATED <input checked="" type="checkbox"/> Y <input type="checkbox"/> N					DATE OF CRASH 04 27 2019 mo / day / yr					TIME 05 21 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM					SECONDARY CRASH <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					U1 1																										
<input type="checkbox"/>FT/MI N E S W <input type="checkbox"/> AT INTERSECTION WITH					(NAME OF INTERSECTION OR ROAD FEATURE)										COUNTY COOK					PRIVATE PROPERTY <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					DOORING WITH PEDALCYCLIST <input checked="" type="checkbox"/> N					# OF MOTOR VEHICLES INVLD 2					<input type="checkbox"/> SLOW <input type="checkbox"/> STOPPED <input checked="" type="checkbox"/> FREE FLOW					U2 1																															
<input checked="" type="checkbox"/> DRIVER <input type="checkbox"/> PARKED <input type="checkbox"/> DRIVERLESS <input type="checkbox"/> PED <input type="checkbox"/> PEDAL <input type="checkbox"/> EQUES <input type="checkbox"/> NMV <input type="checkbox"/> NCV <input type="checkbox"/> DV					NAME (LAST, FIRST, M) MARTINEZ COLON, ANDERSON										DATE OF BIRTH 10 / 14 / 1979 mo day yr					MAKE HYUNDAI					MODEL SONATA					YEAR 2017					CIRCLE NUMBER(S) FOR DAMAGED AREA(S) 00 - NONE 13 - UNDER CARRIAGE 14 - TOTAL (ALL) 15 - OTHER 99 - UNKNOWN POINT OF FIRST CONTACT 12										TOWED DUE TO CRASH <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					FIRE <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					DISTRACTED <input checked="" type="checkbox"/> Y <input type="checkbox"/> N					COM VEH <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					U1 4						
STREET ADDRESS 2212 S CENTRAL AVE					SEX M					SAFT 2					AIR 5					AUTOMATION SYSTEM <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK					LEVEL IN VEH. 9					LEVEL ENGAGED AT CRASH 9					PLATE NO. E724010					STATE IL					YEAR 2019					INSURANCE CO. SELF INSURED					EXPIRED <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					U2 1											
CITY CICERO					STATE IL					ZIP 60804					INJ 0					EJCT 1					EPH 0					VIN 5NPE24AF2HH495908					POLICY NUMBER HERZ					PHONE NUMBER NONE					U3 3																										
TELEPHONE 718-955-3665					DRIVER'S LICENSE NO. M635-0007-9293					STATE IL					CLASS D					CDL ID					VEHICLE OWNER (LAST, FIRST, M) HERTZ VEHICLES LLC					OWNER STREET, CITY, STATE, ZIP 2170 MANNHEIM RD, DES PLAINES, IL, 60018					INSURANCE CO. FOUNDERS					POLICY NUMBER ITVL157702					PHONE NUMBER 773-837-8211					U4 96																					
EMS AGENCY AMB 28					HOSPITAL (TAKEN TO) NORTHWESTERN HOSPITAL					INCIDENT RESPONDER <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					IF 'Y'					DATE OF BIRTH 01 / 01 / 1971 mo day yr					MAKE TOYOTA MOTOR COMPANY, I					MODEL CAMRY					YEAR 2015					CIRCLE NUMBER(S) FOR DAMAGED AREA(S) 00 - NONE 13 - UNDER CARRIAGE 14 - TOTAL (ALL) 15 - OTHER 99 - UNKNOWN POINT OF FIRST CONTACT 3										TOWED DUE TO CRASH <input checked="" type="checkbox"/> Y <input type="checkbox"/> N					FIRE <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					DISTRACTED <input checked="" type="checkbox"/> Y <input type="checkbox"/> N					COM VEH <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					U5 25	
<input checked="" type="checkbox"/> DRIVER <input type="checkbox"/> PARKED <input type="checkbox"/> DRIVERLESS <input type="checkbox"/> PED <input type="checkbox"/> PEDAL <input type="checkbox"/> EQUES <input type="checkbox"/> NMV <input type="checkbox"/> NCV <input type="checkbox"/> DV					NAME (LAST, FIRST, M) AKHTER, SYED, N										DATE OF BIRTH 01 / 01 / 1971 mo day yr					MAKE TOYOTA MOTOR COMPANY, I					MODEL CAMRY					YEAR 2015					CIRCLE NUMBER(S) FOR DAMAGED AREA(S) 00 - NONE 13 - UNDER CARRIAGE 14 - TOTAL (ALL) 15 - OTHER 99 - UNKNOWN POINT OF FIRST CONTACT 3										TOWED DUE TO CRASH <input checked="" type="checkbox"/> Y <input type="checkbox"/> N					FIRE <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					DISTRACTED <input checked="" type="checkbox"/> Y <input type="checkbox"/> N					COM VEH <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					U6 9						
STREET ADDRESS 2700 W LUNT AVE APT 301					SEX M					SAFT 2					AIR 6					AUTOMATION SYSTEM <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK					LEVEL IN VEH. 9					LEVEL ENGAGED AT CRASH 9					PLATE NO. E339130					STATE IL					YEAR 2019					INSURANCE CO. FOUNDERS					EXPIRED <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					U7 1											
CITY CHICAGO					STATE IL					ZIP 60645					INJ B					EJCT 1					EPH 0					VIN 4T1BF1FK3FU873843					POLICY NUMBER ITVL157702					PHONE NUMBER 773-837-8211					U8 96																										
TELEPHONE 773-837-8211					DRIVER'S LICENSE NO. A236-7947-1001					STATE IL					CLASS D					CDL ID					VEHICLE OWNER (LAST, FIRST, M) AKHTER, SYED N					OWNER STREET, CITY, STATE, ZIP 2700 W LUNT AVE APT 301, CHICAGO, IL, 60645					INSURANCE CO. FOUNDERS					POLICY NUMBER ITVL157702					PHONE NUMBER 773-837-8211					U9 96																					
EMS AGENCY AMB 28					HOSPITAL (TAKEN TO) NORTHWESTERN HOSPITAL					INCIDENT RESPONDER <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					IF 'Y'					DATE OF BIRTH 01 / 01 / 1971 mo day yr					MAKE TOYOTA MOTOR COMPANY, I					MODEL CAMRY					YEAR 2015					CIRCLE NUMBER(S) FOR DAMAGED AREA(S) 00 - NONE 13 - UNDER CARRIAGE 14 - TOTAL (ALL) 15 - OTHER 99 - UNKNOWN POINT OF FIRST CONTACT 3										TOWED																					

* IF YES TO COM VEH, COMPLETE LARGE TRUCK, BUS, OR HM VEHICLE AREA ON BACK *

PAGE 2/

Printed by the authority of the State of Illinois

SR 1050C (JAN. 2019)

—> 8777959975

FAXCORE

9/2019 10:18 PM

X001524509

J C240873

LA SALLE ST

INDICATE NORTH
BY ARROW

LARGE TRUCK, BUS, OR HM VEHICLE

IF MORE THAN ONE CMV IS INVOLVED, USE SR 1050A
ADDITIONAL UNITS FORMS.

A CMV is defined as any motor vehicle used to transport passengers or property and:

1. Has a weight rating more than 10,000 pounds (example: truck or truck/trailer combination); or
2. Is used or designed to transport more than 15 passengers including the driver (example: shuttle or charter bus); or
3. Is designed to carry 15 or fewer passengers and operated by a contract carrier transporting employees in the course of their employment (example: employee transporter, usually a van type vehicle or passenger car); or

used or designed to transport between 9 and 15 passengers, including the driver, for compensation (example: large van used for specific purpose); or

any vehicle used to transport any hazardous material (HAZMAT) that requires labeling (example: placards will be displayed on the vehicle).

CARRIER NAME

ADDRESS

CITY/STATE/ZIP

MOTOR CARR. ID

☐ Interstate☐ Intrastate☐ Not in Comm./Govt.☐ Not in Comm./Other

USDOT NO.

ILCC NO.

Source of above ☐ Side of Truck ☐ Papers ☐ Driver ☐ Log BookGVWR/GCWR ☐ <10,000 ☐ 10,000 - 26,000 ☐ >26,000Were HAZMAT placards on vehicle? ☐ Yes ☐ No

If Yes, Name on placard

4 digit UN NO. 1 digit Hazard class No.

Did HAZMAT spill from vehicle (do NOT consider FUEL from vehicle's own tank)? ☐ Yes ☐ No ☐ UnknownDid HAZMAT Regulations violation contribute to the crash? ☐ Yes ☐ No ☐ UnknownDid Carrier Safety Regulations (MCS) violation contribute to the crash? ☐ Yes ☐ No ☐ Unknown

Was a driver/vehicle Examination Report Form completed?

HAZMAT ☐ Yes ☐ No ☐ Unknown Out of Service ☐ Yes ☐ NoMCS ☐ Yes ☐ No ☐ Unknown Out of Service ☐ Yes ☐ No

Form Number

IDOT PERMIT NO. WIDELOAD? ☐ Yes ☐ No

TRAILER VIN 1

TRAILER VIN 2

TRAILER WIDTH(S) 0 - 96" 97 - 102" > 102"

TRAILER 1 ☐ ☐ ☐TRAILER 2 ☐ ☐ ☐

TRAILER LENGTH(S) 1 ft. 2 ft.

TOTAL VEHICLE LENGTH ft. NO. OF AXLES

CRASH LOCATION ☐ City of OR ☐ Nearest CityMILES N E S W OR
(CIRCLE ONE)

City Name

SELECT CODES FROM THE BACK OF CRASH BOOKLET

VEHICLE CONFIG. CARGO BODY TYPE LOAD TYPE

NARRATIVE (refer to vehicle by unit #)

EVENT #11396. BWC INCIDENT. R/OS RESPONDED ON FEET TO A TRAFFIC CRASH THAT OCCURRED WHILE R/OS WERE RESPONDING TO ANOTHER CALL AT THE ABOVE LOCATION. UNIT 1 RELATED THAT HE WAS DRIVING NORTHBOUND ON LASALLE ST ON GREEN LIGHT WHEN HE STRUCK UNIT 2. UNIT 1 RELATED THAT UNIT 2 WAS DOING U-TURN TO A NORTHBOUND LANES ON LASALLE ST. UNIT 2 RELATED THAT HE WAS TURNING LEFT ON LAKE ST WHEN UNIT 1 STRUCK HIM ON THE RIGHT SIDE OF THE VEHICLE. PASSENGERS OF UNIT 1 RELATED THAT THE DRIVER ENTERED THE INTERSECTION AT LASALLE/LAKE ON RED LIGHT AND THAT HIS IPAD WAS ON SHOWING BASEBALL GAME DURING THE DRIVE. PASSENGER BRONCEK OF UNIT 1 WAS EVALUATED BY AMBULANCE # 28 BUT REFUSED FURTHER MEDICAL ATTENTION. UNIT 2 DRIVER WAS TRANSPORTED TO NORTHWESTERN HOSPITAL FOR FURTHER EVALUATION. DRIVER INFORMATION EXCHANGE CARDS WERE GIVEN TO BOTH UNITS. PASSENGERS OF UNIT 1 RECEIVED REPORT NUMBER.

U 1 COLOR
whiteU 2 COLOR
greySTATEMENTS TAKEN ☐ Yes ☒ No PHOTOS TAKEN ☐ Yes ☒ NoU 1 TOWED DUE TO ☐ DISABLING DAMAGE ☒ NOT DISABLING DAMAGE

DAMAGE EXTENT:

TOWED BY/TO:

U 2 TOWED DUE TO ☒ DISABLING DAMAGE ☐ NOT DISABLING DAMAGE

DAMAGE EXTENT: 3

TOWED BY/TO:

HIT AND RUN
WANTED
DRIVER

SEX

RACE

AGE

HAIR COLOR

DISTINGUISHING MARKS / CLOTHING

UNIT

VEHICLE COLOR

MAIU
ONLY

OFFICER ASSIGNED STAR #

DATE ASSIGNED

SUPERVISOR STAR #

IF CASE CLEARED, HOW

☐ Arrest Prosecution

CITATION #

COURT RM.

TIME

☐ AM☐ PMCHARGES ☐ EXC. CLEARED

SUSPENDED

- ☐ TIM CANNOT ID OFFENDER
☐ LETTER TO CONTACT RETURNED BY USPS
☐ VEHICLE REGISTRATION UNAVAILABLE

- ☐ NO INVESTIGATIVE LEADS
☐ WARRANT OBTAINED
☐ INSUFFICIENT EVIDENCE FOR ARREST

- ☐ VEHICLE STOLEN - RD #
☐ OTHER (SPECIFY)

PREPARED BY:

STAR #

DD/MM/YR

APPROVED BY:

STAR #

ANY TRUCK OR BUS OPERATING AS CMV, GOVERNMENT ENTITY, OR RENTAL MAY QUALIFY UNDER THESE DEFINITIONS



Office of the Secretary of State Jesse White
CYBERDRIVEILLINOIS.COM

Corporation/LLC Search/Certificate of Good Standing

Corporation File Detail Report

File Number	69753604
Entity Name	LYFT, INC.
Foreign Assumed Name	LYFT ILLINOIS, INC.
Status	ACTIVE

Entity Information
Entity Type CORPORATION
Type of Corp FOREIGN BCA
Qualification Date (Foreign) Thursday, 16 October 2014
State DELAWARE
Duration Date PERPETUAL

Agent Information

Exhibit E

Name

C T CORPORATION SYSTEM

Address

208 SO LASALLE ST, SUITE 814
CHICAGO , IL 60604

Change Date

Wednesday, 20 September 2017

Annual Report

Filing Date

Tuesday, 20 October 2020

For Year

2020

Officers

President

Name & Address

JOHN ZIMMER 185 BERRY ST STE 5000 SAN FRANCISCO CA 94107

Secretary

Name & Address

KRISTIN SVERCHEK 185 BERRY ST #5000 SAN FRANCISCO CA 94107

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[Change of Registered Agent and/or Registered Office](#)

(One Certificate per Transaction)



Office of the Secretary of State Jesse White
CYBERDRIVEILLINOIS.COM

Corporation/LLC Search/Certificate of Good Standing

Corporation File Detail Report

File Number	69753604
Entity Name	LYFT, INC.
Foreign Assumed Name	LYFT ILLINOIS, INC.
Status	ACTIVE

Entity Information
Entity Type CORPORATION
Type of Corp FOREIGN BCA
Qualification Date (Foreign) Thursday, 16 October 2014
State DELAWARE
Duration Date PERPETUAL

Agent Information

Exhibit F

Name

C T CORPORATION SYSTEM

Address

208 SO LASALLE ST, SUITE 814
CHICAGO , IL 60604

Change Date

Wednesday, 20 September 2017

Annual Report

Filing Date

Tuesday, 20 October 2020

For Year

2020

Officers

President

Name & Address

JOHN ZIMMER 185 BERRY ST STE 5000 SAN FRANCISCO CA 94107

Secretary

Name & Address

KRISTIN SVERCHEK 185 BERRY ST #5000 SAN FRANCISCO CA 94107

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Office of the Secretary of State Jesse White
CYBERDRIVEILLINOIS.COM

Corporation/LLC Search/Certificate of Good Standing

LLC File Detail Report

File Number	00629324
Entity Name	HERTZ VEHICLES LLC
Status	ACTIVE

Entity Information

Principal Office
8501 WILLIAMS ROAD
ESTERO, FL 33928

Entity Type
LLC

Type of LLC
Foreign

Organization/Admission Date
Wednesday, 21 November 2001

Jurisdiction
DE

Duration
PERPETUAL

Agent Information

Name

Exhibit G

C T CORPORATION SYSTEM

Address

208 SO LASALLE ST, SUITE 814
CHICAGO , IL 60604

Change Date

Wednesday, 21 November 2001

Annual Report

For Year

2020

Filing Date

Wednesday, 30 September 2020

Managers

Name

Address

HERTZ VEHICLE FINANCING LLC
8501 WILLIAMS ROAD
ESTERO, FL 33928

Series Name

NOT AUTHORIZED TO ESTABLISH SERIES

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Office of the Secretary of State Jesse White
CYBERDRIVEILLINOIS.COM

Corporation/LLC Search/Certificate of Good Standing

LLC File Detail Report

File Number	00652091
Entity Name	HERTZ VEHICLE FINANCING LLC
Status	ACTIVE

Entity Information

Principal Office
8501 WILLIAMS ROAD
ESTERO, FL 33928

Entity Type
LLC

Type of LLC
Foreign

Organization/Admission Date
Tuesday, 15 January 2002

Jurisdiction
DE

Duration
PERPETUAL

Agent Information

Name

Exhibit H

C T CORPORATION SYSTEM

Address

208 SO LASALLE ST, SUITE 814
CHICAGO , IL 60604

Change Date

Tuesday, 15 January 2002

Annual Report

For Year

2021

Filing Date

Thursday, 19 November 2020

Managers

Name

Address

THE HERTZ CORPORATION
8501 WILLIAMS ROAD
ESTERO, FL 33928

Series Name

NOT AUTHORIZED TO ESTABLISH SERIES

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[Adopting Assumed Name](#)

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Office of the Secretary of State Jesse White
CYBERDRIVEILLINOIS.COM

Corporation/LLC Search/Certificate of Good Standing

Corporation File Detail Report

File Number	19832945
Entity Name	THE HERTZ CORPORATION
Status	ACTIVE

Entity Information

Entity Type
CORPORATION

Type of Corp
FOREIGN BCA

Qualification Date (Foreign)
Friday, 21 April 1967

State
DELAWARE

Duration Date
PERPETUAL

Agent Information

Name
C T CORPORATION SYSTEM

Address

Exhibit I

208 SO LASALLE ST, SUITE 814
CHICAGO , IL 60604

Change Date
00/00/0000

Annual Report

Filing Date
Tuesday, 23 March 2021

For Year
2021

Officers

President
Name & Address
ANGELA IRIS BRAV 8501 WILLIAMS RD ESTERO FL 33928

Secretary
Name & Address
M DAVID GALAINENE 8501 WILLIAMS RD ESTERO FL 33928

Assumed Name

ACTIVE
HERTZ CAR SALES

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CYBERDRIVEILLINOIS.COM

Corporation/LLC Search/Certificate of Good Standing

LLC File Detail Report

File Number	04435079
Entity Name	RASIER, LLC
Status	ACTIVE

Entity Information

Principal Office
1455 MARKET STREET, 4TH FLOOR
SAN FRANCISCO, CA 94103

Entity Type
LLC

Type of LLC
Foreign

Organization/Admission Date
Tuesday, 1 October 2013

Jurisdiction
DE

Duration
PERPETUAL

Agent Information

Name

Exhibit J

C T CORPORATION SYSTEM

Address

208 SO LASALLE ST, SUITE 814
CHICAGO , IL 60604

Change Date

Friday, 22 April 2016

Annual Report

For Year

2020

Filing Date

Wednesday, 5 August 2020

Managers

Name

Address

CHADWICK, FRANCOIS
1455 MARKET STREET, 4TH FLOOR
SAN FRANCISCO, CA 94103

Name

Address

GUMBS, KEIR
1455 MARKET STREET, 4TH FLOOR
SAN FRANCISCO, CA 94103

Name

Address

KUNTZ, BRIAN
1455 MARKET STREET, 4TH FLOOR
SAN FRANCISCO, CA 94103

Series Name

NOT AUTHORIZED TO ESTABLISH SERIES

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Office of the Secretary of State Jesse White
CYBERDRIVEILLINOIS.COM

Corporation/LLC Search/Certificate of Good Standing

Corporation File Detail Report

File Number	68099188
Entity Name	UBER TECHNOLOGIES, INC.
Status	ACTIVE

Entity Information

Entity Type
CORPORATION

Type of Corp
FOREIGN BCA

Qualification Date (Foreign)
Tuesday, 18 October 2011

State
DELAWARE

Duration Date
PERPETUAL

Agent Information

Name
C T CORPORATION SYSTEM

Address

Exhibit K

208 SO LASALLE ST, SUITE 814
CHICAGO , IL 60604

Change Date
Friday, 1 April 2016

Annual Report

Filing Date
Monday, 21 September 2020

For Year
2020

Officers

President
Name & Address
VACANT

Secretary
Name & Address
TONY WEST 1455 MARKET ST SAN FRANCISCO CA 94103

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